

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:
MONA LISA HAYNES

Case No: 04-10469-RGM
Chapter 7

MONA LISA HAYNES

v.

AP No 05-01441-RGM

STERLING & KING, INC.

MEMORANDUM OPINION

A hearing was held in open court on August 16, 2006, on the complaint of debtor Mona Haynes, seeking damages and injunction against Sterling and King, Inc. The debtor was present and represented by counsel. Sterling and King, Inc., although properly served, did not answer and was in default.

Upon consideration of the testimony, exhibits, and argument of counsel, and for the reasons stated orally on the record, the court finds that debtor's liability to Sterling and King, Inc. on account number 141859001 was discharged in case no 04-10469, on May 17, 2004; and that the action of Sterling and King, Inc. reporting the debt to Equifax in May 2005 with an unpaid balance of \$15409 is a false, deceptive and misleading representation, in violation of 15 USC §1692e, and an unfair means to collect a debt in violation of 15 USC §1692f; and that the debtor has been damaged in the amount of \$75.00 actual damages, plus reasonable attorneys fees in the amount of \$2755.00; and that the debtor is entitled to \$1000.00 additional damages under 15 USC 1692k(a)(2)(A);

and that the debtor is entitled to injunctive relief to prevent further injury. A separate order will be entered providing as follows:

1. Sterling and King, Inc. shall pay the debtor in care of her attorney of record, the sum of **\$3,830.00**. Payment shall be made within 30 days of the entry of this order.

If not so paid, this order shall constitute a money judgment for such sum, with interest from the entry of this order at the rate specified in 28 USC §1961, until paid, for which execution may issue.

2. Sterling and King, Inc. shall, no later than 30 days from the entry of this order, report to every consumer reporting agency to which it routinely reports the status of accounts it is collecting that the debt represented by account 141859001 is “discharged in bankruptcy” with a zero dollar balance and no “past due” notation and shall not at any time in the future report such debt as being past due, as having other than a zero dollar balance, or as being other than “discharged in bankruptcy.” This injunction shall be binding upon any purchaser, assignee or transfer of the debt.

3. If the debt has been sold, assigned or transferred, Sterling and King, Inc. shall provide a copy of this order to such purchaser, assignee, or transferee.

4. This court retains jurisdiction to impose additional sanctions in the event Sterling & King, Inc. or any purchaser, assignee or transferee of the debt violates or fails to comply with this order.

5. The clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

Alexandria, Virginia
August 18, 2006

/s/Robert G. Mayer
Robert G. Mayer
United States Bankruptcy Judge

Copies to:

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